

WRITTEN TESTIMONY OF PHIPILP JENKINS**Before the****SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS****HOUSE COMMITTEE ON ENERGY AND COMMERCE****September 26, 2006**

I have published extensively on matters of child abuse and molestation, and child protection. Between 1999 and 2001, I had access to a series of bulletin boards frequented by dealers, traffickers and manufacturers of child pornography, and also major consumers and collectors of this material. (I describe the center of this activity by the pseudonym “the Maestro Board”). Because this material was entirely verbal and text-based, I was able to access it without confronting the legal and ethical dilemmas involved in visiting sites where actual images were portrayed. My findings were published in my 2001 book *Beyond Tolerance: Child Pornography on the Internet* (New York University Press). Though I have kept up with later developments in the field, I have made no attempt to revisit these boards, nor would this be possible today, since all are now password-protected, and the only way to gain access would be to supply original material – that is, to provide fresh images or videos of children.

I would also stress other limitations of my study. For one thing, the boards I was observing catered to images of small girls, whereas the excellent investigations of Kurt Eichenwald focused on sites dealing with young boys: the two areas of interest seem not to overlap in the slightest. From the nature of the material, moreover, I have no idea of the actual identities of participants, nor the scale of the enterprise. In cases where I had any positive evidence that might point to actual identities or rings, I have supplied that information to law enforcement agencies. I have also supplied these agencies with full copies of all the electronic materials I collected during my study.

Based on this research, I would draw several conclusions. Except where stated otherwise, I believe that each of these statements remains true today, and conditions may actually have become more serious

1. Child pornography is not a myth

It seems odd to start with such a statement, but it is necessary. Even well-informed commentators dismiss the child porn subculture as a moralist myth, perhaps a kind of conservative urban legend, like snuff films. Some years ago, in her otherwise engrossing study of Internet censorship debates, Net Wars, Wendy Grossman occasionally refers to child porn as one of the factors leading people to support restrictions, though in reality, (she asserts) only a “small amount of material... shows up on the Net.” She also writes that “many of the newsgroups with names like alt.binaries.pictures.erotica.children were probably started as tasteless jokes, and are largely taken up with messages flaming the groups.” This remark is ironic since alt.binaries.pictures.erotica.pre-teen (abpep-t) is an all too real phenomenon: by 2000,

abpep-t boasted some 40,000 postings, mainly images of young girls from toddlers through puberty, and this newsgroup for years served as a central institution of the kiddie porn Net-culture. In Erotic Innocence, his fine book on contemporary attitudes to childhood sexuality, James Kincaid writes that in the mid-1990s, “researchers found nothing on the Internet that is not also in adult bookstores,” though there might be a marginal trade in child porn, “a cottage industry of sorts, a wary trading of photos and old magazines back and forth among a small number of people.” Otherwise, he argues, the only people distributing child porn online are government agencies, seeking to bait traps for pedophiles. Another major work on commercialized sex is Laurence O’Toole’s Pornocopia. After describing a celebrated child porn arrest in Great Britain, O’Toole argued that:

When... the hullabaloo over transnational Internet child porn rings ultimately amounts (in the UK at least) to the possession of three images dating back a quarter of a century, people are bound to wonder about the true nature or extent of the dangers of child porn in cyberspace a lot of the materials described as ‘child porn’ are in fact nude pictures of children taken from art-work, family albums and naturist materials.

Many of the materials do indeed fall into these categories, but hundreds of thousands of other images do not; and whereas a large number date back a quarter of a century, many others were made this year. And they are far more alarming than these accounts would suggest.

To illustrate this material at its vilest and most exploitative, we might consider the more recent KG and KX series, the “kindergarten” photos, which together represented perhaps the most prized collections available on the Net as of 2000-2001. KG is a series of many thousands of nude images of several very young girls, mainly aged between three and six years old, with each item including the girl’s name, like Helga, Inga, and so on. The photographs date from the mid-nineties, and they likely derive from either Germany or Scandinavia. In the words of one fan of the series, “Once upon a time. There was a chemist that had earned his Ph.D. Well, he got married and along with his wife opened up a day care center. Well, as the story goes, he managed to take pictures of lots and lots of things. Eventually he got busted.” The KG collection exists in parallel with a still more sought after version, KX, which depicts the same children in hard core sexual situations with one or more men. Put simply, most are pictures of four and five year old girls performing oral sex and masturbation on adult men. The immense popularity of the KG images ensured an enthusiastic market for KX, which entered general circulation in 2000.

We should also remember the case of “Helena,” probably a British girl, who, tragically, was long one of the best-known sex stars on the Web worldwide. In the late 1980s, as a little girl of seven or eight, Helena became the subject of a photo series which depicted her not only in all the familiar nude poses of hard-core pornography, but also showed her in numerous sex acts with Gavin, a boy of about the same age. Both are reportedly shown having sex with an adult man, presumably Helena’s father. The images are collectively known by various names, but the commonest is “hel-lo,” that is, “Helena/lolita.” Since their first appearance, they have had an astonishing afterlife, and probably not a day has passed without the hel-lo images appearing anew on some electronic server somewhere in the world, and they are cherished by thousands of

collectors worldwide. They seem to be the standard starter kit for child porn novices. In addition, Helena's pictures form part of a much larger series, known under titles like hel-anal, hel-cum, hel-louise, and so on. Hel-lo itself was recently described by a child porn enthusiast as

the greatest HC [hardcore] series ever made! She was 'acting' since she was a toddler until she was twelve years old, which means there are thousands of pics of her in action out there somewhere! No other series compares!!!

In addition to the traffic in visual images, many Usenet sites cater to pedophile interests through stories and written fantasies, which are entirely supplied by amateurs catering to other enthusiasts. In the language of the dissident underground of the old USSR, they are purely samizdat, "self-published." These stories are originally posted in Usenet groups, and subsequently collected in open websites. These written works are almost certainly legal protected speech within the United States, which is paradoxical in that these stories are often grossly violent or even homicidal in their content. To put the paradox at its simplest, a photograph of a naked five year old girl happily eating an ice cream on the beach may be criminalized, even if the child is shown accompanied by doting parents, but it is quite legal to publish a detailed fantasy about the rape, torture and murder of the same child. To give an idea of the content of some of these tales, the following represents a selection of the new stories listed on one extreme content site a few years ago, together with the editor's summaries of the themes offered in each case (NC is non-consensual, "scat" is scatological, "ws" means water sports or urination, snuff means killing):

14 Year Old Avenger by brisko65 (Pedo, Bi sex, Scat, WS, Vomit, Animal, Torture, Spanking, Snuff, Incest)
 A Hunt by ***** (Rape, Torture, Cannibalism, Snuff)
 A Little Inheritance by S.o.S. (Incest-daddy/daughter, Pedo, Oral)
 A Night in the Kids Room by S.o.S. (Pedo/toddler, Incest-brothers/sisters, Oral, Anal, Gangbang)
 Amanda the Slut Episode 1 by sex freak (Preteen, NC, S/M, Suggested snuff)
 Anne by Kinnik (Rape, Pedo, Torture, Snuff)
 B&B 2-Dad visits Kids by Chucketal (Incest-father/son, Pedo)
 Baby in the Arcade by S.o.S. (Drug use, Pedo, Toddler rape)
 Baby Sex is the Best - Part II by Evil Dad (Child rape & abuse, Pedo, Scat, WS)
 Children's Ward by xtight (Pedo, Anal)
 Do You like my Bottom Daddy? by UK Snowy (Oral incest-father/daughter, Pedo)
 Fucking in the Family - The Tradition Continues by Lund Pasand (Incest-whole family, Pedo, First time)
 Nigger Lust by N-lover (Hetero sex, Pedo, Racist, Interracial, Scat, WS)
 Off the Bone by UK Snowy (Rape, Pedo)
 The Most Perfect 10 by ***** (Bi sex, Pedo, Fisting)

By no means all story groups are anything like so bizarre or repulsive in their content, and this is avowedly an extreme site. Nevertheless, the predominance of underage themes is notable. Of 44 new stories listed at this site in April 2000, no less than twenty included "pedo" (pedophile) or "preteen" as one of their subject keywords.

2. The available material is vast in scale, and new material is coming on line more or less daily

Just how easy it is to find these materials needs to be stressed. Both the price and quality of illegal commodities are greatly affected by the relative success of law enforcement intervention. When for instance police and customs are waging a particularly successful war against the cocaine trade, making major seizures, the price of cocaine on American streets rises steeply, while the quality of the substance being retailed falls dramatically. Conversely, weaker police responses are reflected in bargain basement prices and higher purity at street level. Applying this analogy to child pornography produces disturbing results. In the mid-1970s, a child porn magazine containing thirty or so pictures might cost ten dollars in an American city. Today, the entire contents of that same magazine are available through the Internet for free, as are tens of thousands of other more recent counterparts. A month or so of free web-surfing could easily accumulate a child porn library of several thousand images. The only payments or charges involved would be the standard fees for computer connect time, and the cost of storage materials. Prices in the child porn world have not just fallen, they have all but been eliminated. "Quality" has also improved immeasurably, in terms of the range of materials on offer: arguably, the images now coming on line are becoming ever more explicit and hard-core. Applying the drug analogy suggests that the role of law enforcement in regulating supply is approximately zero. I want to keep this problem in perspective, since the actual numbers of hardcore traffickers are not vast: we are probably talking about a subculture numbered in the tens of thousands worldwide, together with a significant number of casual browsers, but even so, the scale of the enterprise they support is depressing, as is the constant infusion of new materials.

To put this in context, I would suggest that the typical major collector would possess upwards of forty or fifty thousand items, videos and images, though collections do run into the 100,000-plus range. This is worth remembering when we read about child porn arrests of some individual who has perhaps fifty or a hundred such images.

3. The child porn subculture on the internet is not based on any close-knit hierarchy, but rather involves a network of individuals who probably do not know each other's names. Though networks certainly exist, they are numerous and quite distinct from each other. There is no single "child porn mafia"

In the countless board discussions on security, one recurrent theme is that of "safety in numbers", in other words, that porn users could in theory be tracked down, but the sheer volume of traffic makes this next to impossible. In a discussion of the wisdom of using [abpep-t](#), the child porn guru "Godfather Corleone" advised that

There are millions of people using newsgroups, and tens of thousands of them do visit [abpep-t](#) on a very regular base. Therefore the likelihood the server would want to spend time tracing someone down for visiting a newsgroup they are responsible for providing people with, is rather small.

Such comments raise the difficult but inevitable question of just how large a community we are dealing with, and the Godfather's remark about "tens of thousands" is not only plausible, but perhaps modest.

At a given moment on an average day, the main flagship discussion board contained contributions from about sixty or so pseudonymous contributors, though that is

only a snapshot, and the total contributing during a whole day is considerably larger. Given the delicate subject matter, the figure for “lurkers” (people who observe but do not contribute) is likely to be far larger than for typical Usenet groups. At a minimum, the Maestro community certainly ran into several thousand. A useful analogy may be provided by other less popular child porn sites which record the number of hits for each posting. The volume of hits largely depends on the plausibility that the original message does in fact lead to a genuine CP site, but where the poster is well-known and trusted, the number of hits is usually between two and four thousand, and may well approach ten thousand. Of course, a person might visit a particular site only sporadically, or concentrate only on one board to the exclusion of others. Still, that provides an absolute minimum for the size of the core CP community on the Internet, those who frequent at least one of the various boards on a regular basis: we have already seen that egroups sites with child porn content can run to several thousand members. Confirming this scale, G-Man, one of the most experienced contributors to the flagship board, wrote that “To each of my posts I get approx 1,000 to 5,000 visitors to my site (nearly 90,000 in the past five weeks!)”

Gauging the scale of the pedophile audience is a frequent talking point on the boards. One recent posting ran as follows:

When you think about it, just how many lola lovers do we have here, maybe? 10,000 15,000 visit this board, what about other boards, and what of the others that can not find this and other boards? I have seen some of the log files from some of the net's search engines, and the top search is childporn and all the Lola lovers that don't have a computer, there must be millions out there some where ;).

Others agreed:

*Tomcat> I had a site posted here with a counter that showed approx. 3,000 access after 4 hours, before the site was shut down. Extrapolate this to a whole day could be 18,000 only from this board at one day. And there are many more surfing in news (probable ratio 1:10 or more) and other boards. The number is constantly increasing as more people get access to the net. There was about half of them about half a year ago, and the increase itself is increasing. So no need to feel alone. I guess the ratio of posters and lookers on this board is about 1:100 or more.... That's the reason why I'm always stating that busting them all would hurt national economics.

* Zep > 12 months ago ***'s site, which had links to BBS's on its front page, was getting over 30,000 hits a day before the counter was taken off. *** BBS its 'finest hour' (when this BBS went down for about 3 days about 6 months ago), was getting over 50,000 hits a day over this period. No, we are not alone in this world.

I stress, though, that we are dealing with core activists, since casual browsers might be much more numerous.

Putting the different boards together, I would guess that the core population as of year 2000 should be counted somewhere in the range of perhaps fifty to a hundred thousand individuals, though that is a very loose figure. It is also a global number: perhaps a third of these are located in the US. Given the phenomenal expansion of the Internet since the mid-1990s, we can assume that this figure is changing very rapidly, and certainly expanding. While some old hands send farewell messages explaining that their

interests have moved on to other things, almost every day on the boards we find first postings by recently arrived “newbies.”

It is even more difficult to assess the demographics of the audience for this (or any) board. In many situations on the Internet, people tend to assume personas which are not necessarily their own, and in an illegal setting like this there are powerful reasons to affect a different identity. A general impression, though, suggests that the vast majority of contributors to the board fall into the category of males, aged between perhaps 25 and 55, mainly white but with a sizable Asian minority. This would certainly account for the vast majority of recorded arrests. My impression may be false in a number of ways, as several major users at least claim to be much younger than this would suggest, aged in their late teens. Given the distribution of computer skills across the population, a large cohort of teens and young adults would be quite predictable.

Nor can we say much about participants’ regional or occupational backgrounds, except to say that both are highly diverse. This is indicated by the membership of the Wonderland Club, which as we will see, was a closed network of elite traffickers broken up in 1998. The Wonderland group included some two hundred members in over forty countries, including the US, Great Britain, Australia, Italy, France, Norway, Sweden, Germany, Austria, Belgium, Finland, and Portugal. American members included “an engineer from Portland, Maine, a scientist in New Britain, Conn. Other suspected members lived in sleepy towns like Broken Arrow, Oklahoma; Lawrence, Kansas; and Kennebunk, Maine.... A suspect living in a trailer park in St. Charles, Mo., was arrested after agents found, along with child porn, firearms and a stash of the black powder used to make bombs. According to Customs agents, a law student in New York City threw his hard drive into a neighbor's yard.” Of the first eight members charged in the UK, we find three computer consultants, unsurprisingly in view of the level of expertise required for this world, but there were also two taxi drivers, and three men who were described as unemployed.

Gender represents another controversial point. Messages are often posted by individuals identifying themselves as women, and these claim that far more adult women are sexually interested in young girls than is commonly realized. One of the major posters on the boards over the last year or two bears the handle “Goddess.” Goddess’s real identity is controversial. Asked to speculate on the appearance of contributors, one contributor wrote that he saw “Goddess as a rebellious schoolgirl with holes in her jeans (probably she is a he and 50 years old).” Still, lending credibility to claims of female involvement, there are documented cases of girls and women being involved in making and distributing electronic child porn, although I presume they represent a small minority of activity. Generally, we can safely assume that the bulk of board traffic is the work of white men in their thirties and forties.

4. Many of those involved in the subculture are strikingly “normal”. This has critical implications for the potential for deterrence.

The reasons why adults become sexually interested in children are much debated, but given that this enthusiasm does exist, it is not difficult to see why it should find such a friendly environment on the Internet, with its anonymity and its ability to transcend jurisdictional borders. We can also appreciate how novices should find it so easy to be drawn into the subculture, and once involved, to absorb its values and practices. In many

ways, the seemingly aberrant world of child porn on the Net represents not a total break with approved mainstream ways and mores, but their extension into illegality.

Some degree of tolerance of illegality is common to Internet culture in general. The whole world of electronic communication has developed so rapidly that rules and laws are poorly formulated, and it is common and approved practice for computer users to violate regulations. People who would never dream of committing larceny or burglary in the “real” material world think nothing of hacking an Internet site, using a purloined password, or copying software illegally, while a widespread opinion holds that copyright rules simply do not exist on the Net. If something works and produces benefit without harming an individual (as opposed to a faceless corporation) then it is acceptable and approved. Even if technically criminal, misdeeds on computers are likely to be viewed by many as pranks rather than heinous offenses, and this approach is largely shared by the media. When, as happens from time to time, a hacker succeeds in changing the website of a police agency so that it suddenly depicts hard-core pornographic material, the news media tend to report the story as quirky or humorous, rather than a dreadful crime (sabotaging or closing down a popular site is a different matter). The idea of seeking forbidden material on the Internet is natural and even socially approved, so that the heroic deeds of hackers and outlaw computer wizards are the subject of a hundred Hollywood films. When some years ago an Israeli teenager hacked into important US government sites, that nation’s then Prime Minister, Benjamin Netanyahu, offered the Americans a cursory apology, but used the incident at home to boast of Israel’s technological prowess and sense of adventure. Conversely, authorities who try and prevent these efforts are reactionaries, stuffed shirts, control freaks: the enemy.

Occasionally, the fervently libertarian ethos of the Internet can extend even to something as condemned as child porn. In a curious case in 1998, the manager of a small Californian ISP discovered a child porn web site, which she duly reported to authorities, and then tried herself to gain more information about the site’s operators. She soon encountered a fiercely critical reaction from other Internet users, including a hacking attack that shut down her site. The issue was less tolerance of child porn as such than her apparent vigilantism, and her willingness to draw officialdom into what should ideally be the self-regulating world of the Net.

On the Internet, rules are made to be broken. This attitude is facilitated by the user’s psychological sense that whatever occurs in a computer transaction takes place within his or her own private space. Although one is visiting a site based in Singapore, the individual is viewing it on a screen at home in London or in an office in Los Angeles, and it is intuitively obvious that this is where the transaction is really occurring. One can after all interrupt the process at any time to get up and make coffee or wash the car. The attitude seems to be that it is my home, my desk, my computer, and my business what I do with it. This is one reason for the ferocious opposition to schemes to tax commercial transactions on-line: why should the state of California, say, be able to charge sales tax on business which is self-evidently done on a desktop in Connecticut? This sense of private space also promotes a sense of invulnerability: it is difficult to take seriously all the jeremiads about the lack of privacy on the Net when the user feels that he or she is pursuing a personal interest at home, with no one apparently watching. Even in the case of child pornography, the absolute legal prohibition on private use is not as widely understood as one may think. In a surprising survey some years ago, Kimberly McCabe

questioned a sample of citizens who attended law enforcement-sponsored crime-watch meetings in two cities in the US South, people who might be presumed to have some interest in criminal justice issues. Even so, a third of her sample agreed with the statement that “Downloading child pornography from a newsgroup is legal.” Just under eight percent believed that “Possession of sexual material involving a minor is legal,” and the same proportion felt that “viewing computer-generated children in sexual materials is okay.”

Also making the child porn subculture more apparently acceptable is the lack of overtly deviant behaviors or markers associated with the activity. Participants do not assume an overtly deviant role in the way that they would if they joined a gang or cult: they need not shave their heads, wear special clothing, or attend a meeting every week or even every year, nor need they relocate to a compound or commune. Entering the child porn culture might mean assuming or affecting a deviant identity, but one that has no physical manifestations, or which need continue after one has switched off the computer. This particular subculture is one which can be joined without physically moving into a strange or dangerous-seeming environment, a biker bar, sex club or drug supermarket, though in practice, using the computer at home can lead to far more perilous consequences than any of these places.

It is useful to compare the process of accessing child porn on the Internet today, which is absolutely illegal, with the semi-tolerated matter of purchasing a magazine of this sort in an urban bookstore in 1975. Although the bookstore patron was running little or no risk of official sanction, it was self-evident from the surroundings and the social context that the purchaser was in deviant territory, both physically and metaphorically. The store was likely in a “bad part of town,” in a physical setting perhaps not far removed from active prostitution and drug use, and not somewhere where one would wish to be seen. In contrast, the modern computer user is, in every sense, at home with child pornography. Today, there appears to be no entry fee to the subculture, no risk or commitment, and that is perhaps the most dangerous delusion in the whole process.

In many ways, too, child porn users are extrapolating from the socially commonplace. On the Internet, sexual material and adult pornography is extremely abundant, and generally tolerated, despite the continuing protests of conservative moralists. Pornography sites are well frequented, and little social stigma attaches to seeking such material through improper means, for instance by using computers in libraries or schools. Such misdeeds are often the subject of humor rather than serious condemnation, even when the users are young teenagers. A person accessing sex sites from a workplace computer might technically be violating corporate rules, but according to most views, is no more criminal than a colleague who takes home pens or paperclips. Many porn sites also “push the envelope” in terms of the strange and perverse practices which they depict, including sadomasochism, bestiality and toilet functions. Occasionally, too, amateur sites in which posters offer home-made pictures of wives and (adult) girlfriends will throw in a soft-core image of a pubescent girl, and the responses suggest that this action is seen only as mildly naughty, perhaps a form of tweaking authority. Seeking bizarre or shocking sexual images on the Internet does not of itself contradict deeply held social values, especially when - as it appears - the searching is done in private.

5. Dealers, traffickers, consumers and collectors of child porn may or may not be personally engaged in actual molestation. From the nature of the evidence, we are over-informed about those individuals who actually do molest, and who are probably not typical of the whole community. That point is not intended as a defense of the community, but is rather pointed at the best means of combating them.

The actual relationship between child porn and child abuse is open to debate, no matter how firmly such a linkage has come to be viewed as a social orthodoxy. The difficulty is that solid data on the question are all but unobtainable, and official figures are highly suspect. To illustrate the problems with available evidence, let us assume that ninety percent of child porn consumers never become involved in abuse or molestation, and confine their illegal activities to merely viewing and collecting images. I have no idea what the actual figure is, but as I will suggest, nor does anybody else. These individuals are extremely unlikely to find their way into the criminal justice system, unless they attempt to trade images, or barring accidental finds on their hard drives. Conversely, the minority of users who are also molesters are far more likely to be arrested and prosecuted: they might try to seduce youngsters online, or else abduct or molest the children of friends or neighbors. For whatever reason, the police will probably apprehend them, and will discover child porn collections upon searching their belongings. In consequence, the ten percent of CP consumers who are also abusers will make up a sizable (and wholly disproportionate) majority of child porn arrests. This allows anti-porn activists to state, quite accurately, that “in the vast majority of child porn arrests, the individual involved is also found to be a molester:” listeners are encouraged to draw the (unwarranted) conclusion that child pornographers are necessarily abusers, and perhaps vice versa. In fact, the statistics establish no causal link between child porn materials and actual behavior, any more than the similar observation that most sex criminals also enjoy adult porn. The statement that “Most rapists watch porn videos” cannot be translated as “Most people who watch porn videos become rapists.” Conceivably, perhaps ninety or ninety-five percent of child porn fans commit abuse, or perhaps the figure is closer to five or ten percent: the reality may just be unknowable.

Official statistics (arrests and prosecutions) tell us mainly about those inept and seemingly atypical offenders who fail to take the obvious precautions, and who get caught. If for instance we wanted to study the child porn world from media or official sources, we might collect media reports of investigations and arrests of the sort which appear regularly in most advanced nations. Over the last few years, regional newspapers in the United States have reported hundreds of such stories, involving all sorts of individuals, including priests, politicians, police officers and executives, as well as ordinary citizens. Such stories mainly hit the headlines when they involve teachers or others working with youth, but celebrities are also newsworthy. But such instances represent only the tip of an iceberg. To quote one of the gurus of the electronic child porn world, “Godfather Corleone,”

Looking at the enormous amount of lolita-lovers out there, very, very few get arrested, the opposite of what most newbies [novices] seem to believe is the case, those that actually do get arrested, do not get arrested for downloading or uploading to abpep-t or visiting sites. Most people that get arrested do so for the following reasons: 1. they had to repair their PC when those repairing the PC

discovered pics on the harddrive. 2. they have been trading thru e-mail. 3. they have been using ICQ / IRC [chat-lines] for lolita business.

Both trading and chat-lines are so deadly because one is dealing with faceless individuals who often prove to be police officers masquerading either as fellow enthusiasts, or as underage girls: avoiding such chat facilities is a primary rule offered to novices in this underworld. Another participant on a child porn bulletin board, "Granpa Bob," claimed that recent arrests in the US could be categorized as follows: "It was basically 75% caught e-mail trading with an LEA [law enforcement agency], 20% by computer repair shops, and 1% caught by either association with known traders or by do-gooders reporting them." It is very rare for individuals to be arrested for posting child porn, and virtually unheard of to be caught "just looking."

In the vast majority of cases which come to court, child pornographers are caught for another unrelated offense such as molestation, which leads to the serendipitous discovery of a collection of images. Though no case is wholly typical, a fairly representative example involves the man in Revere, Massachusetts, who was arrested after a young boy complained that he had been videotaped while having sex. When police searched the suspect's premises, they found four thousand computerized images of underage boys, as well as a hundred indecent videotapes. In a case in Northern California in 2000, child porn charges surfaced as an incidental element in a suspected murder investigation. Even where porn alone is the major issue at stake, offenders have almost gone out of their way to draw attention to themselves, for instance by viewing illegal materials on computers in public libraries! As long as enthusiasts maintain their interests solely within the virtual realm, observing pictures but not seeking to collect or apply the electronic fantasies in the world of lived action, they appear to be safe from detection. The virtual world genuinely is protected territory.

By definition, studies of arrests or convictions only reveal the failures within the electronic child porn world. The cases which come to light fulfil a kind of Darwinian function, since they remove from the subculture those least fit to adapt and survive, and thus ensure the efficiency of those who remain. Nor can figures for arrests tell us much about the scale or the geography of electronic trafficking. If a hundred men were suddenly arrested for computer child porn offenses in Los Angeles, that would not necessarily show that that city was a particular center for this activity, but would rather indicate the interests and technical abilities of law enforcement agencies in that area. Perhaps such a campaign would further reveal that child pornographers in this region are singularly neglectful of security precautions. It is a truism, but criminal statistics measure official behavior, and nothing more.

6. The child porn underworld is absolutely multinational and global

A glimpse at any of the boards will demonstrate the thoroughly globalized nature of the child pornography trade. The whole child porn underworld survives and flourishes by exploiting differences between the legal systems of different countries, between countries that have radically different attitudes to the whole area of childhood sexuality, or which observe marginal distinctions over the age of consent or the definitions of obscenity. Through the early 1980s, child pornography magazines were still legally and publicly accessible in the Netherlands, posing severe difficulties for police in other European nations, who fought hard against importation. Though hard-core child porn

largely moved underground by the 1990s, several countries retained much more relaxed attitudes about child sexuality, which affected their views of what could legitimately be portrayed on the Web. While US law strictly prohibits all depictions of nude or suggestively clad children, European countries tend to be more liberal about showing simple nudity in a non-sexual context, as in a nudist camp. Naturist magazines like the German Jung und Frei and the French Jeune et Naturel circulated freely in Europe through the late 1990s. At least until recently, there was no reason why a Swedish server could not present a picture of a group of naked ten year old girls on a beach playing volleyball, say, though this picture would be strictly contraband when it was received on American soil.

In addition, many of the hard-core images circulated on the Net are the incidental products of “sex tourism.” These portray white men having sex with young Asian or Latina girls, and are presumably souvenirs taken by sex tourists visiting Third World countries over the last decade or two: Thailand, Sri Lanka and Indonesia are the main Asian venues, while the Latin American pictures could be from any of a dozen countries. These pictures are distinguished from others of the genre by the fact that the men in question rarely attempt to conceal their faces, presumably secure in the knowledge that they were committing no crime under local laws: as we will see, the legal environment has since changed to make such neglect of security precautions very risky indeed.

The boards are cosmopolitan. While the major sites were (as of 2001) based in Japan, most users are from North America and Europe, and the main working languages are English and German. Specific debates may proceed in a variety of other languages, including Spanish, Swedish, Dutch, Portuguese, and indeed most of the European languages. There are exchanges in tongues like Turkish, Tagalog and Guarani, and other languages that I cannot identify, though I can at least recognize all the European languages. In a typical board exchange between, say, five or six individuals, two may be based in the US, two in Europe, one in Malaysia and one in Japan: there is no way for the casual observer to discover this. Indications might be provided by linguistic peculiarities, for example the use of English or Australian spelling or slang, such as “I’m off to the pub for a pint,” “colour” for “color,” or “knickers” for girls’ underwear, while complainers are “whingers.” Equally likely, participants in a quite different nation might be affecting these habits in order to divert attention from their real location, just as the often dreadful spelling and grammar found in messages may be a ruse to feign ignorance of English.

Deception of this kind is rampant on the boards. When listing survival tips for subculture members, one board participant included the advice, “Write in English in this board and never in your own mother language, if you have one. Don’t speak about very personal things, which could help to identify you after collecting some more informations.” The phrasing of the second sentence (“more informations”) implies that the poster, “Thor,” is not a native speaker, but he might well be an American or Canadian pretending to employ foreign usage. In another instance, “Rocky” quoted a story from a Detroit newspaper, and concluded, “Is any one heard of this news and which country this Detroit belong to?” I have no idea if this is genuine ignorance, or ingenious camouflage. “Darkstar” remarks, “don’t forget the wise ones who have been here for years know all this, and be telling you they live in the UK or Belize, Canada, whilst they really in Cali[ifornia].”

Similar caution is advised for those making pornographic images, since actual locations might well be revealed by incidental objects in the background. In one case, the maker of the notorious *Marion* series was detected because the setting was recognized as in Germany, leading federal police in that nation to circulate Marion's photograph. Responding to this arrest, one board member wrote "This case is a good example what not to do when posting. Many people look alike on a world wide basis, however when you show locations and identifiable clothing to verify identity you are asking for trouble." It would not be beyond the capacity of a pornographer to litter a room with magazines in some foreign language to conceal the fact that the shoot was actually occurring in, say, Illinois. The need for such cosmopolitanism is constantly stressed: when asked for the best means of securing a truly anonymous e-mail account, "Helper" wrote "Do not use sites like Hotmail. Best to go to some boolah-boolah country in Africa or Asia, or sites in the ".nu" neighborhood [Nauru]. Never your own country, as this only makes legal issues easier for LEA's." Darkstar advised, "Just use good proxies, make sure they have nym status, and operate out of territories like Tibet, China, Taiwan, Russia, Singapore, Mongolia etc. And alter the time domain in your computer, this is an ID parameter in conjunction with your isp IP that ties you down."

In addition, the typical posting of a porn website indicates a total neglect of frontiers: the site is posted by an American on a European server, announced on a Japanese server, with passwords posted at a site notionally based in Nauru or Tonga, while those downloading the pictures might be from fifty countries. One would need a thorough education in international law to understand the problems in legal jurisdiction which it poses: what crimes have been committed, where, and what agencies might conceivably be involved? And where exactly has this occurred, except in the emerging nation of Cyberia? Though the whole transaction originates on one computer in California, the complete story has literally unfolded across the globe.

Moreover, outside western Europe, large areas of the world make virtually no pretense at combating underage sex or child pornography, and from the nature of the web, there need be only one bandit country to sabotage all international arrangements. In fact, there are dozens of such wayward states, which pay little attention to suppressing child pornography or, much more serious, child prostitution. Former Communist countries tend to be lax in this regard, and much material prohibited elsewhere stems quite freely from Russia, Poland and the Czech Republic. This trend reflects the extreme weakness of law enforcement in those societies, as well as a common desire to break away from Communist austerity.

The upsurge of Russian and East European content has revolutionized the content of the child porn world, Nudist sites are prevalent, while many pictures emanating from Russia are unashamedly pornographic, and often extremely hard-core. They are immensely popular because they depict subjects in contemporary settings, and thus form a dramatic contrast to much of the older materials, which largely depicted either contemporary Asian girls, or Euro-American children in conspicuously dated 1970s settings. Also, and crucially for many fans, the subjects are white: a distaste or even loathing for non-white subject is a recurrent theme in exchanges. Some astute fraudsters exploit the Russian reputation for corruption by advertising child porn sites with Russian domain names, that is, the suffix "ru." Foreigners avidly flock to such sites believing they will thereby gain access to utterly uncensored materials, but they are often disappointed,

and some ru sites are among the most notorious examples of bogus and deceptive advertising. They offer tantalizing samples, take money, but deliver nothing. In passing, it is one of the great ironies of modern history that the hammer and sickle emblem now often serves as a symbol of extreme hedonism, and provides a logo for the hardest of hard core web-sites. Czech sites are also popular. As an enthusiastic board participant wrote in 2000: "Czech Republic liberal! You can search, view and store pedo material without any penalty. For trading is maximum penalty one year." This country is a major source of images of nude young boys, though as in Scandinavia, depicting sexual activity in such contexts is strictly taboo.

The child porn boards offer much advice on how to find countries where underage sex is readily available, and where child pornography can easily be obtained or, indeed, manufactured. The lax morality prevailing in former Communist nations is a common theme:

* RaNDom > If you guys are tired of the US why don't you move out I've lived here in Siberia for the past year now and it's absolute Loli-Heaven! You can't go wrong with the former Soviet Union. Or if it's a little out of your budget then consider Mexico. For a few dollars (not pesos) the cops'll look the other way. It's where I used to live.

* Cross > I hear Russia is becoming the epicenter of Loliland. Such information in general should help everybody in matters such as proxies, setting up sites, and many more.

* Greasey > in Russia be prepared to get mugged and maybe even killed. Russia has no law now, the Russian mafia runs the whole country

* TEST_ONE > if you have enough money, people at the [Moscow] Crime Dept. will drive you to the girls

In answer to a question about one photo series, G-Man replied,

Looks Rumanian to me... In some places there you can just go to an orphanage and give the adults some money (not a lot - many have not been paid their wages in years!) and you can have your way with some of the kids... The only thing is - the children have never even seen a bath and the beds have never been cleaned. They also shave the heads of the kids, so you'll have to do a bald girl.

After a decade of extreme laissez faire, some east European countries may finally be undergoing a moral reaction. Czech laissez-faire seems to be weakening as the country becomes ever more closely integrated into the European economic and political order, and there have been major crackdowns in recent months. Poland too has recently passed stringent anti-porn legislation, which if enforced would suppress most adult soft-core material, but it remains to be seen how far such action would extend to the Internet. Nor is there much likelihood that countries like Russia or Rumania will return to anything like Stalinist moral discipline in the foreseeable future, or will succeed in regulating their thriving organized crime enterprises.

Despite the attention paid to the former Communist world and Japan, most "bandit" countries are however found in the Third World nations of Asia and Latin America, where westerners can readily find underage sex, as well as visual depictions of such activity. In coming years, these nations may also host the electronic servers central to the child porn world.

In 1999, one correspondent asked the Maestro community, “Generally speaking - Where do you think the best place to travel to? Does anyone want to come along?” He received numerous replies, most highlighting the Third World:

* Ms Knickerworthy > Israel is a good place for pristine preteen arse... If you're not fussy about skin colour or AIDS then try Fiji, Bali, Jamaica, and similar Third World holes.

* jo > Contrary to popular belief the Philippines is still one of the best places to go but you have to be very cautious. Stay away from the tourist areas. The back streets of Manila are a good place to walk around mid afternoon. People are very friendly, and very poor.

* Pedro Phylle > As suggested above, stick with the poorer, undeveloped countries such as Latin America, Balkans or preferably S.E. Asia. In Bangkok, go to a red light district named Patpong.... Very lax laws and you don't have to worry about getting mugged or killed. To be really safe, talk to a cabbie and some of them will have a photo album of lovelies. Take your pick and he will deliver to your hotel room.

* Soldo > By and large, Northern Europe including Scandinavia is very anti-pedo, Holland seems somewhat more tolerant than its neighbors. Southern Europe is more relaxed and a lot of the old Eastern European states don't have many laws in place - and if they do then don't enforce them because of lack of funds. Thailand seems to enforce laws only for the purpose of satisfying western govts, but if you're the one caught then look out. Most other S.E. Asian and Third world countries have far more pressing needs for their funds than stamping out loli material etc.

The easy availability of child sex in many third world nations means that pornographic images are readily obtained, and continuing levels of poverty in these countries suggests that this problem will not be eliminated for many years.

7.The child porn underworld demonstrates extraordinarily high levels of technical capacity, probably far above that of most of the law enforcement agencies attempting to combat them. Often, investigations and convictions grow out of chance discoveries.

Already by the late 1980s, pedophiles and child pornography enthusiasts were among the most experienced and knowledgeable members of the computerized communication world, so they were magnificently placed to benefit from the many technological leaps of the next few years. Operating websites was a vastly easier matter than the chore of running traditional BBS's, and offered the virtues (and the dangers) of a much wider audience. Instead of trading between a few dozen enthusiasts in a particular city or region, it was now feasible to gain instant access to materials emanating from other continents, and from countries with very different legal environments. Moreover, as computers themselves became faster, with far larger memories and faster processors, it became possible to store and transmit much more complex information, including large numbers of high-resolution color images, and movies. The child porn subculture on the Internet now began a boom that shows no sign of waning.

There are today veterans whose careers in circulating electronic child porn span twenty years or more. These dinosaurs occasionally reminisce about the primitive ages:

“Hey, I remember things before there was abpep-t. Zmodem 8088 PC, 20 Meg hard drive with RGB monitor, when there wasn't even jpeg's, only gif's. ... Its just amazing how things have changed.” Another veteran recalls, “Twenty years ago I had a 300 baud modem, 16k memory and a 180k floppy drive. Didn't even consider a picture. My first HD cost about 500\$US for 20megs in about 1984. It was about '87 before I had pictures with a 1 meg video card and SVGA.” “Master Blaster,” a venerated name on the child porn boards, wrote in 2000 that “I have been using it before most of you even knew the Net existed. I was online using a PDP-11 mainframe in 1980. We were hooked up to the **** intranet and in turn they were connected to the world via government and schools.” Attacking a rival who was trying to appropriate his nickname, “Zapper” declared in 2000 that “I have had this nic since 1987 and will continue to use it.” We must be struck by the difficulty of tracking down people who have remained at liberty in such a dangerous environment for so many years. Sending police officers on intensive two or three week courses to learn about the Internet is simply not going to equip investigators adequately to confront such accumulated expertise.

8. The attitudes expressed by the child porn elite to law enforcement are so contemptuous as to be sobering. What the dealers and collectors are really afraid of is private vigilantes, “militias” and white hat hackers.

I quote a typical opinion from one of the elite figures within the CP underworld:

In fact, extremely few persons actually get arrested and sent to jail, that is a myth really. There are thousands of vhs's out there, many from 1999, thousands of people present at this bbs [bulletin board] and millions of loli-lovers in various countries, yet you only see a couple of persons getting arrested, and the media writes about it like they have been busting Al Capone.

Experienced members of the subculture have little but contempt for the capacities of “LEA,” that is, law enforcement. In one exchange on the boards, a poster suggested an ingenious tactic which might in theory serve to entrap many child porn fans, and asked whether police were likely to deploy it. Responses were sarcastically dismissive:

*Godfather Corleone > I don't really think the LEA work that way as I'm sure they have better things to do which they know are more efficient. For instance, trying to catch newbies trading per e-mail or newbies visiting IRC etc.

*Kidflash > LEA is not smart enough or have time to do such things.

9. Massive technical and legal obstacles prevent any easy solution to the undoubted problem posed by child porn. It is difficult to think of new laws that would make advances against the problem, which must involve close international collaboration.

From the outset, we have to realize what goals are achievable, and the total elimination of electronic child porn simply may not be within the bounds of possibility. That does not mean that we have to learn to accept or live with the problem, and we might well achieve a massive reduction of production and availability, on the lines of what was accomplished in the 1980s. The great majority of child porn users are rational enough to be deterred, if the proper methods are applied. If we could achieve, say, a 90 or 95 percent reduction of availability, that would be a massive victory in its own right. The

fact that some residual trade will continue indefinitely should not provide grounds for ever-increasing encroachments on the liberties of law-abiding “netizens.”

To illustrate just how intractable the child porn problem is, let us imagine a means by which this material could be removed or destroyed entirely. Purely as a fantasy, let us suggest that the Internet should simply be prohibited, along with private communication over computer networks. Even if a hypothetical government did prohibit computer networks, it still would not eliminate child porn. Such a ban could only be enforced by computers in the hands of police or security forces, and many precedents indicate that these government employees would surreptitiously be sharing pornographic images. If there are computers, there will be computerized child pornography.

To take a marginally less outrageous solution, consider the experience of China, which like many authoritarian nations, faces a fundamental paradox in its attitudes to Internet technology. The Chinese want the massive economic benefits of the Net, and also realize the military implications of having a computer-literate populace. The ongoing cold war between the People’s Republic and Taiwan is increasingly fought in the form of hacker attacks on each other’s electronic installations. At the same time, the PRC’s rulers are nervous about the democratic implications of the Internet, the ability of ordinary citizens to form political or cultural groupings online, and to circulate information critical of the state. In response to this dilemma, the Chinese government has ordained that all Internet traffic must pass through two portals, both run by the state: the authorities strictly limit what sites can be accessed, and keep detailed records of who is visiting what site. All ISPs and Internet users have to register with authorities. Anyone using encryption technology is required to notify a government agency of that fact. Other countries with comparably strict laws are Singapore, Saudi Arabia and Vietnam, and one state has taken the principle of control to its logical extent: “Burma [Myanmar] has taken the strongest measures by outlawing the use of the Internet and making ownership of an unregistered computer with networking capabilities illegal.”

With such a model, much child pornography could indeed be kept off the Internet, and its aficionados rounded up or terrorized into inactivity. The difficulty is that a Western nation would find such a solution unacceptable from a myriad different perspectives, not least because it would hamstring the whole Internet, and introduce controls which most members of a democratic society would regard as utterly intolerable. But would it even work? China has an age-long tradition of technological innovation, while successive generations of Chinese dissidents over long centuries have devised ever more imaginative means of outwitting repressive governments, and distributing their own propaganda. Not surprisingly, the latest restrictions do not appear too burdensome in practice. Chinese computer users access forbidden sites by means of proxy servers, of which there are far too many to permit concerted government action. Users also make extensive use of Internet cafes rather than private machines, so even if authorities note the fact that an unregulated site has been accessed, the odds of detecting a specific individual are slight. The Chinese experience neatly illustrates the remark of Internet pioneer John Gilmore that “the Internet interprets censorship as damage and routes around it.” Once again, too, we face the issue of “who guards the guards?” We may wonder what frivolous, decadent and obscene websites are regularly frequented by the guardians of electronic morality in socialist China.

While a Chinese (or Burmese) solution is inconceivable in the West, it is scarcely less Orwellian than some of the ideas which have been floated, however speculatively. Given the nature of the child porn trade, the only policies which might conceivably attempt eradication would involve wide-ranging surveillance of Web traffic by official agencies. This effort might be carried out in a directed way under the approval of court warrants, or else randomly through general fishing expeditions undertaken against the sort of people thought likely to offend in this particular way. Yet as the Chinese example indicates, even such an intolerable set of burdens probably would not eliminate the underlying issue.

If the traffic cannot altogether be eliminated, the next question is how far it can be detected and combated, with a view to suppressing the bulk of the trade, and ending the present easy availability of this material. And how far can this be achieved without destroying the privacy rights of law-abiding Net users? When considering this, it is useful to recall just how far the Net has already eroded privacy, and the resentment which such intrusions have already caused. In reaction to current threats, legislators have come under pressure to enact safeguards from electronic snooping, at exactly the same time that the perceived need to combat cybercrime encourages the same law-makers to enhance official surveillance powers. The result is a strange and fast-moving struggle of priorities, between what might be the irreconcilable values of individual privacy and public security.

The biggest single problem facing police is simply recognizing and understanding the nature of the child porn world on the Net. Despite all the enforcement efforts of recent years, it is still remarkably easy for any reasonably discreet person to pursue this highly illegal conduct indefinitely, so long as obvious traps are avoided. This does not mean that police have been lackadaisical or incompetent, still less that their hands have been tied by legislators. Hitherto, law enforcement agencies, and their political masters, have just had a very poor idea of the organization and mechanisms of the child porn subculture, and above all, its critical institutions, like the newsgroups and bulletin boards. To take a glaring example, given the public loathing of child porn and the support that could be mobilized against it, it is incredible that virtually nobody outside the subculture itself ever heard of abpep-t: the name barely appears in searches of media databases.

In observing this neglect, we might think of an analogy with illegal drugs, in which there is both a supply side (manufacturers and importers) and a demand side (street-level users). Looking at current efforts against child porn, it is almost as if anti-drug policing was solely confined to arresting users and addicts, while ignoring organized rings and suppliers. In this fantasy world, no attention would be given to tracing the origin of supplies of (say) cocaine, and the assumption would be that the substance “just grew”, or perhaps appeared naturally in neighborhood gardens. Police would remain blissfully unaware of potent names like “Colombia.” Such an approach might result in numerous arrests and convictions, but it could never make a dent in illicit drug supplies: nor does a pure demand-side approach work for child porn. This needs stressing because the occasional attempts to outline anti-child porn strategies concentrate entirely on intimidating the ordinary users. Filling the prisons with child porn users is as likely to be ineffective as the zero-tolerance drug strategy which has incarcerated hundreds of thousands of small time consumers, combining minimal deterrence with maximum social devastation.

All too often, “get tough” campaigns garner rich publicity by appearing to be striking at the problem enthusiastically, but the effects are minimal, if not counterproductive. Furthermore, the horror inspired by child pornography naturally inspires politicians to try and “do something,” but the “something” in question has nothing to do with the issue at hand. Though child porn is harrowing enough in its own right, the massive reaction to web-based obscenity by politicians and media undoubtedly reflects a sense of loss of control in the face of Internet technology, augmented by a recognition of the fragility of international boundaries and laws. So deep is this unfocused concern that it all too readily justifies legal efforts directed not against the genuinely harmful area of child pornography, but against far milder forms of adult-themed indecency, of explicit images, and even language. Hence the instant appeal of successive high-octane campaigns against “cyberporn,” none of which would have the slightest impact on the real world of child pornography. When misdirected laws fail to suppress child porn, the predictable result is to pass still more laws of the same hue, and so the cycle continues. Agreeing unhesitatingly that child porn is an unqualified evil should not mean acceding to every measure proposed, however tenuously, under an “anti-child porn” rubric. When passing laws, it is useful to recall the opening words of the Hippocratic Oath: first, to do no harm.

When we consider the thriving kiddie porn culture on the Internet, we might recall the Maoist dictum that guerrillas move among the people like fish swim in the sea. The analogy holds to the extent that child pornographers do indeed travel the Internet like the proverbial swimming fish, and there is no easy way to catch the fish without draining or poisoning the entire sea. We have to find means of killing or crippling the subculture without destroying the Internet, with which so much good can be accomplished.

9. On the positive side, some substantial victories have been achieved.

Comparing the situation today with that in 2000, I am struck by how many of the easily accessible semi-public sites have been closed down, usually through the semi-legal actions of vigilantes and white hat hackers, rather than by law enforcement agencies themselves. For instance, we no longer have the proliferation of outrageous sites that used to disgrace yahoo and MSN’s groups, and that provided portals to very hard core material indeed. The bulletin boards have also been forced to conceal themselves behind passwords and high firewalls. However tempted we might be to despair, progress really *has* been made.